

#12
Jensen
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S/N 09/054,233

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	RICE et al.	Examiner:	A. KHATRI
Serial No.:	09/054,233	Group Art Unit:	2122
Filed:	April 2, 1998	Docket No.:	13714.1USU1
Title:	AUTOMATIC MESSAGE INTERPRETATION AND ROUTING SYSTEM		

CERTIFICATE UNDER 37 CFR 1.6: The undersigned hereby certifies that this correspondence is being transmitted via facsimile to: Commissioner for Patents, Washington, D.C. 20231, on November 7, 2001.

By:
Name:Jennifer Jensen
Jennifer Jensen

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Petitioner, Firepond, Inc., a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at Waltham Woods Corporate Center 890 Winter Street, Suite 300, Waltham, MA 02451, represents that it is the owner of the entire right, title and interest in U.S. Patent No. 6,182,059, issued January 30, 2001, and entitled AUTOMATIC MESSAGE INTERPRETATION AND ROUTING SYSTEM by virtue of our assignment recorded at Reel 9217, Frame(s) 0838; in the instant patent application by virtue of our assignment recorded at Reel 9517, Frame(s) 0914; and by virtue of a merger/purchase agreement of Brightware, Inc. by Firepond, Inc. Pursuant to 37 C.F.R. § 3.73(b), copies of the Assignments and the Notices of Recordation are submitted herewith as evidence of Firepond, Inc.'s, the successor in interest of Brightware, Inc., right as assignee to take action. Also attached

hereto is the agreement transferring the rights in the US 6,182,059 patent as well as the instant patent application from Brightware, Inc. to Firepond Inc.

Petitioner, Firepond, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,182,059 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,182,059, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

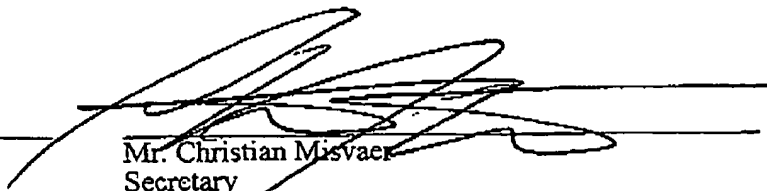
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,182,059, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 27 Dec. 2001



Mr. Christian Misvaer
Secretary
Firepond, Inc.

THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, 19____, this terminal disclaimer is accepted. The period of patent lapse specified above has been accepted as equivalent to _____ months.

Petitions Examiner